

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

WILLIAM J. BENJAMIN KOOPMAN,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 1:19-cv-959
)	
NAVEEN SHAH, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

Before the Court is the Motion to Seal (“Motion to Seal”) filed by Defendants, Naveen Shah and Navika Group of Companies LLC (“Defendants”). (Dkt. No. 90).

After considering the Motion to Seal, Memorandum in Support, and related filings, the Court is of the opinion that the Motion to Seal should be granted. The Court finds as follows:

1. Defendants requested to file under seal selected portions (“Confidential Portions”) of its Opposition to the Motion for Summary Judgment filed by Plaintiff, William J. Benjamin Koopman (“Plaintiff”) (filed under seal at Dkt. No. 96).

2. There are three requirements for sealing court filings: (1) public notice with an opportunity to object; (2) consideration of less drastic alternatives; and (3) a statement of specific findings in support of a decision to seal and rejecting alternatives to sealing. *See, e.g., Flexible Benefits Council v. Feltman*, No. 1:08-CV-371, 2008 U.S. Dist. LEXIS 93039 (E.D. Va. Nov. 13, 2008 (citing *Ashcraft v. Conoco, Inc.*, 218 F.3d 282, 288 (4th Cir. 2000))).

3. This Court finds that the Confidential Portions of Defendants’ Opposition to Plaintiff’s Motion for Summary Judgment are confidential; that public notice has been given and that no objections have been filed; that the public’s interest in access is outweighed by the interests

in preserving such confidentiality; and that there are no less drastic alternatives that appropriately serve these interests.

4. Specifically, the Court finds that the Confidential Portions should be sealed because they contain sensitive and confidential internal information for non-party, The Donohoe Companies, Inc. (“Donohoe”), which could cause competitive harm if disseminated to the public.

5. The Court reviewed the Confidential Portions in their entirety. In light of the information contained therein, there appears to be no alternative other than sealing the selected portions of Defendants’ Opposition to Plaintiff’s Motion for Summary Judgment, specifically textual portions of the Opposition and Exhibits F and H to the Declaration of Anthony Cavanaugh (Exhibit 2) attached to the Opposition.

6. Accordingly, it is ORDERED that the Confidential Portions of Defendants’ Opposition to Plaintiff’s Motion for Summary Judgment shall remain sealed until further order of this Court (as filed at Dkt. No. 96).

Entered this 28th day of June, 2021.

/s/

The Honorable Michael S. Nachmanoff
United States Magistrate Judge